

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NIGEL FREDRICKS,

Plaintiff,

-v-

DR. LIONEL DESROCHAS; CAPTAIN LEMON;  
CORRECTION OFFICER WHITE, JR., Shield No.  
8507; and CORRECTION OFFICER RITTER, in their  
individual capacities,

Defendants.

CIVIL ACTION NO. 21 Civ. 8389 (JGLC) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

On February 9, 2024, the City of New York (“City”) filed a letter-motion (ECF No. 40) requesting, inter alia, a two-week extension of time to determine whether the Individual Defendants<sup>1</sup> would waive service of the Second Amended Complaint (“SAC”). The request was granted in relevant part, and the Court ordered that:

By **February 23, 2024**, counsel of record for the City shall file a letter on the docket confirming whether it represents the Individual Defendants, any or all of them, and whether the Individual Defendants have been served with the SAC. If they have not been served, counsel shall confirm whether the Individual Defendants will either (i) waive service of the SAC, or (ii) agree that the Office of the Corporation Counsel may accept service on their behalf.

(ECF No. 41). That deadline has now passed, and the City has not complied with the Court’s Order. As a one-time courtesy, the Court sua sponte extends to **February 28, 2024** the City’s deadline to do so.

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<sup>1</sup> “Dr. Lionel Desrochas”; “Captain Lemon”; “Correction Officer White, Jr.”; and “Correction Officer Ritter,” who are sued in their individual capacities.

Dated: New York, New York  
February 26, 2024

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge